

Amendments to the Drawings:

Attached hereto after page 13 of this paper, is a Replacement Drawing Sheet where the legend "prior art" has been added to Fig. 39.

Attachment: 1 Replacement Drawing sheet

REMARKS/ARGUMENTS

Claims 1-21 are pending herein. Claims 14-17 are allowed. Claim 13 has been amended as supported by Fig. 1, for example. Applicants respectfully submit that no new matter has been added.

1. The objection to Figure 39 of the drawings is noted, but deemed moot in view of the replacement drawing sheet attached hereto.

2. The objection to the Title is noted, but deemed moot in view of the amended Title submitted above.

3. Claim 13 was rejected under §102(b) over Ito. To the extent that this rejection may be applied against amended claim 13, it is respectfully traversed.

Ito discloses a ferroelectric cold cathode device in which the entirety of the bottom surface of the first electrode is in contact with the ferroelectric emitter, as shown in Drawings 1-4 of Ito. This configuration has low emission efficiency and emission control problems as described in the background section of the present specification. To clarify the patentable distinctions of the present invention, claim 13 has been amended to recite,

a first electrode having a bottom surface, only a portion of which is in contact with the first surface of the substance serving as the emitter.

This amendment distinguishes claim 13 from Ito, because the entirety of the bottom surface of Ito's first electrode is in contact with the surface of the emitter element. In view of the above, Applicants respectfully submit that Ito does not teach each and every element recited in amended claim 13. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

4. Claims 1-13 were provisionally rejected under nonstatutory obviousness-type double patenting over certain claims in the following copending applications: 10/678,958, 10/877,517, 10/950,976 and 10/901,932.¹

The provisional rejection based on the '958 application is moot, because the '958 application has been abandoned. The remaining provisional rejections are noted, but deemed moot in view of the Terminal Disclaimer filed herewith.

For at least the forgoing reasons, Applicants respectfully submit that all pending claims herein are in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for this application in due course.

Applicants appreciate the Examiner acknowledging receipt and consideration of most of the Information Disclosure Statements that have been filed in this application. *The Examiner still, however, has not acknowledged receipt and consideration of the Information Disclosure Statement filed October 1, 2004 (a courtesy copy is attached hereto). The Examiner is respectfully requested to acknowledge receipt and consideration of this Information Disclosure Statement.*

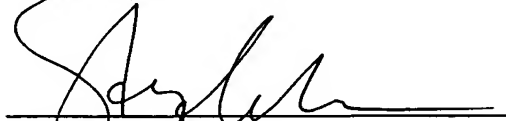
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

¹ Examiner Guharay confirmed during a telephonic interview on February 22, 2006 that the applications listed above were the applications that were intended to be listed in the Office Action.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

February 23, 2006
Date

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

SPB/JAW/gmh

Attachments: 1 Replacement Drawing Sheet
 Terminal Disclaimer
 Copy of IDS filed 10/1/04

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320